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State Victim Advocate

STATE OF CONNECTICUT

OFFICE OF VICTIM ADVOCATE
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Testimony of Michelle Cruz, Esq., State Victim Advocate
Submitted to the Judiciary Committee
Monday, April 4, 2011

Good morning Senator Coleman, Representative Fox and distinguished members of the Judiciary Committee. For the record, my name is Michelle Cruz and I am the Victim Advocate for the State of Connecticut. Thank you for the opportunity to provide testimony concerning:

Raised Senate Bill No. 1033, *An Act Concerning the Limitation of Time to Bring a Civil Action for Damages Caused by Sexual Abuse, Sexual Exploitation or Sexual Assault Suffered by a Person Prior to Attaining the Age of Majority*

Raised House Bill No. 6555, *An Act Concerning Civil Actions Against the State and Municipalities for the Sexual Assault of Children*

Raised House Bill No. 6607, *An Act Concerning Civil Actions Against the State By Minors Sexually Assaulted While in the Custody of the State*

The Office of the Victim Advocate (OVA) supports **Raised Senate Bill No. 1033** as it eliminates the statute of limitations for bringing a civil action, caused by the sexual abuse of a minor, regarding new offenses committed after the effective date of this act. We have seen first hand the devastation caused to many minor victims of sexual assault, abuse or sexual exploitation. Those who manage to survive, not only the initial abuse, which can last for many years, but also the challenge of finding new hope and a future free from abuse, should not be penalized, just diverted, like many of the victims of Dr. Reardon. Newly discovered evidence, which was not available to those victims within the allowed time period, confirmed what the victims of Dr. Reardon had said years earlier and who were told that nothing happened to them and, in some cases; they began to question their own internal voice.

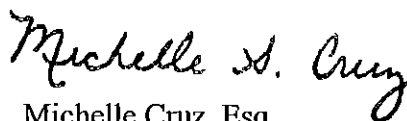
There are a myriad of reasons why minor victims of sexual assault, abuse or sexual exploitation delay in bringing a civil action against an individual or entity responsible for the abuse. Many victims suffer in silence for years before ever telling anyone they were assaulted or may not realize themselves that they were assaulted due to repressed memories. To understand the true nature of a perpetrator, one has to understand the process perpetrators engage in to groom their victims and the victims' families. Usually the perpetrator befriends the targeted victim's family and then the child. Often times the perpetrator infuses him or herself within the family, gaining invitations to family outings or trips or in other cases, is an authority figure who seeks to interact with the child victim and his or her family. This grooming process often takes place over a number of days, weeks, years, and the goal is to gain the trust of the child and, in many cases, the child's family. Once the trust is gained, the abuse begins and often escalates and continues for an elongated period of time. This process is intended to create confusion for the child victim and has the effect of clouding the child's judgment and making it difficult to identify the abuse. This very process is often the reason behind the struggle to bring forth criminal or civil complaints or both. Further, the civil process often

takes years and brings about trauma and self doubt to victims. Those victims that choose to bring a civil action should not be barred by the limitation of time; rather when it is the safest and healthiest time for the victim to do so. **The OVA urges the Committee to vote favorably on Raised Senate Bill No. 1033.**

The most important thing to remember when discussing barriers to civil actions, including the statute of limitations and immunity, as contained in the proposals before you today, the plaintiff at the center of the action was a minor victim of sexual assault, abuse or sexual exploitation. If the state or any political subdivision of the state, or any employee, officer or agent of the state had liability for injuries caused by the sexual assault, abuse or sexual exploitation of a minor, the victim should be protected not the state. Former Probation Officer Richard Straub is the perfect example why Raised House Bill No. 6555 is necessary to eliminate the immunity barrier for victims. Between 1986 and 1996, Mr. Straub threatened to send young male probationers back to jail unless they had sex with him. He pled guilty to 31 of 220 counts and was sentenced to fifteen years in prison. And yet, as a state employee, his crime spree continued for ten years, hidden under his cloak of a probation officer. The fact that a sexual perpetrator had manipulated the state system to employ him or her with the state and that the perpetrator utilized that very state position to gain access to vulnerable children and abuse them, should not bar civil liability. One's place of employment should not be the barrier to justice for our children. Imagine no recourse for victims simply because the offender draws a check from the state. Likewise, victims who are held in the custody of the state and are sexually assaulted or abused while in custody should be not barred from seeking civil relief. Keep in mind that all of the other elements of liability will also have to be proven. The proposals simply prevent perpetrators from hiding behind the state when they abuse a child. **The OVA urges the Committee to vote favorably on Raised House Bill No. 6555 and 6607.**

Thank you for consideration of my testimony.

Respectfully submitted,

A handwritten signature in cursive script that reads "Michelle S. Cruz".

Michelle Cruz, Esq.
State Victim Advocate

Common characteristics and symptoms associated with sexual assault, sexual abuse or sexual exploitation include:

- **Blame/Responsibility**
 - Re-enforced by the offender
 - Try to find a reason why
 - Must have been bad
 - Non supportive parent/family
 - Removed from family
 - Only attention given
- **Fear**
 - Repeat incidents
 - Retaliation
 - Being different than other kids
 - Being hurt
 - The unknown
 - Fear over time can cause panic attacks or paranoia
- **Depression**
 - Loss of one's self
 - Loss of family
 - Loss of control
 - Hopelessness
 - Unsafe
 - Isolation
- **Self Identity/Self Esteem**
 - Internalize negative image
 - Feel dirty and damaged
 - Undeserving and worthless
 - Humiliation
- **Anger**
 - Lack of protection
 - Disruption in present relationships
 - Self destructive patterns
- **Inability to trust**
 - Violated
 - Carries through life
 - Distrust own judgments
- **Addiction/Escape**
 - Self destruction/self mutilation
 - Drug or alcohol abuse
 - Eating disorders
 - Suicide
- **Physical Illnesses**
 - Migraines
 - Pelvic disorders; IBS
 - Problems with sexual organs
 - Asthma/arthritis

